

**Notice of Allowability**

Application No.

10/823,896

Examiner

William Schrode

Applicant(s)

MASSETH, JAMES E.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/26/2006.
2. ☒ The allowed claim(s) is/are 1,3,5-15 and 17-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☒ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>7/15/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                              | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

This action is in response to amendments filed on 01/26/2006. Claims 1, 3, 5-15 and 17-38 are pending.

#### ***Allowable Subject Matter***

Claims 1, 3, 5-15 and 17-38 are allowed. In regard to claims 1, 8, 12, 15, 18, 22, 25 and, 31 Suggs et al (6,679,087) teaches a similar locking mechanism for an encloser. However:

In regard to claims 1, 15 and 31, Suggs fails to teach the similar locking mechanism in combination with a slot positioned at an angle. Hambleton (5,341,752) teaches a locking mechanism including two plates coupled to each other and dependent on each for relative movement through an angled slot and pin combination. However, it would not have been obvious to one with ordinary skill in the art at the time of the invention to modify Suggs locking mechanism with Hambleton, since such a modification would create a completely different relative motion between the plates in Suggs locking mechanism which where not anticipated by Suggs. Any modification would negate the intended use set forth by Suggs.

In regard to claims 8 and 18, Suggs fails to teach the similar locking mechanism wherein the drive mechanism includes first and second gears; wherein the first gear is coupled with the first plate and the second gear is coupled with the second plate. J. Dowd (430,072) shows that it is known in the art to construct a drive mechanism including two gears coupled with two different plates. However, it would not have been obvious to one having ordinary skill in the art at the time of the invention to modify

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Suggs locking mechanism with Dowd, since the drive mechanism does not rotational drive the second plate. Therefore, it would not be obvious to combine a gear coupling between the second plate and drive mechanism.

In regard to claims 12 and 22, Suggs fails to teach the similar locking mechanism wherein the tail piece includes an extension plate and an engagement flange. H. Wise (599,277) shows locking mechanism including a tail piece (13) including an extension plate (i.e. the longitudinal body connected to the plate 9) and an engagement flange (30). However, it would not have been obvious to one with ordinary skill in the art to combine Suggs locking mechanism to include an extension plate and an engagement flange, since Suggs second plate engages the tumbler lock directly and adding an extension and engagement flange would functionally change Suggs locking mechanism.

In regard to claim 25, Suggs fails to teach the similar locking mechanism wherein the locking mechanism includes all of the allowable material previously discussed in claims 8, 12, 18 and 22.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Schrode whose telephone number is (571)272-1647. The examiner can normally be reached on Mon-Fri 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571)272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WS  
04/12/2006

A handwritten signature in black ink, appearing to read "Brian Glessner", with a long horizontal flourish extending to the right.

**BRIAN E. GLESSNER**  
**SUPERVISORY PATENT EXAMINER**